

REMARKS

Agent for Applicant presents currently amended claims 1, 4, 6, 8, 9, 12, 16, 19, 22, 25 and 26 previously presented claims 3, 5, 7, 10, 11, 13, 20, 21 and 23, and original claim 2 and new claim 27 for consideration by the Examiner. The present application has 21 claims in total.

Claim Rejections

The Examiner objected to claims 22-23. In particular, Examiner objected to claim 22 on the basis that "the controls" on line 3 lacks sufficient antecedent basis. Kindly note that claim 22 has been amended to overcome the objection. As claim 23 is dependent on claim 22, the objection against claim 23 is likewise overcome.

35 USC § 102

Moreover, the Examiner objected to claims 1-6, 8-12, 16, 19, 21, 22, 25-26 as being anticipated by Gruteser. Agent for Applicant respectfully disagrees for the following reasons.

Kindly note, that the claims have been amended to overcome the Examiner's objections. However, the Applicant offers supplemental reasoning to support and explain its respectful disagreement.

The present invention provides a chair, bed or lounge having moving parts, controls for the moving parts, information output circuitry related to the operation of the controls. The chair, bed or lounge further includes one or more energy converters that convert energy generated by one or more sources, including a solar pack, a moveable hinge, or a chair movement generator means into electrical energy. The energy converter is further linked to a power pack, whereby energy may flow for the purpose of powering the chair, bed or lounge, or energy may be stored. The power pack may be a rechargeable battery. However, the power pack operates in a manner different to a traditional rechargeable battery in that it "does not need to be removed from the chair nor does the chair have to be electrically connected to an A.C. outlet to recharge."

In contrast, Gruteser does not disclose a chair, bed or lounge having a power pack means of storing and distributing electrical power. Gruteser teaches a seating platform powered by way of a non-contact power supply system embedded in the floor, solar cells, and movement of the

person in the chair, such as the rotational motion of the wheels. Gruteser teaches (in column 5, line 10) that "electrical energy delivered to the seating platform may be used to directly power the platform's electronic devices or it may be stored in batteries."

With respect, Gruteser does not disclose the application of a power pack element, having stated the advantages over traditional batteries, in the configuration of the powering of its seating platform.

Applicant's invention involves the application of a power pack, having advantages over traditional batteries, for the purpose of receiving, storing and disbursing power generated by power generation means that are part of a chair, bed or lounge, as described.

Furthermore, the present invention discloses a chair, bed or lounge having multiple power generation means embedded therein and a power pack capable of receiving, storing and distributing power therefrom. The power pack is capable of receiving electrical energy from multiple sources simultaneously, including a solar pack, a moveable hinge, and a chair movement generator means. Energy generated by each of these sources may be transferred to the power pack. The power pack can facilitate the storage and disbursement of electrical energy generated by a variety of sources and transferred by a variety of energy converters. Such a configuration is shown in FIG. 7 wherein a solar panel 105, directs energy to a pack 110 and the same storage/power pack 110 "also draws energy from different rocking motions of the chair".

In contrast, Gruteser teaches a seating platform powered by a single form of electrical power generation, such as solar, or chair movement, or a floor embedded non-contact power supply system. Generated electricity flows directly to the electronic elements of the seating platform or to a battery from a single energy source.

With respect, Gruteser does not disclose a seating platform having multiple means of generating energy, or a power pack element capable of receiving electric energy generated by a variety of sources.

Applicant's invention involves the application of multiple means of generating electrical power, including a solar pack, a moveable hinge, or a chair movement generator means. Moreover, the power pack element is capable of receiving, storing and dispersing power generated by the variety of power generation means that are part of a chair, bed or lounge, as described.

With respect to claim 1, for at least the reasons described above it is respectfully submitted that Gruteser fails to disclose or suggest a power pack whereby electrical energy flows from the energy converter into the power pack and may be stored therein or utilized for powering said information output circuitry. Claim 2 depends from claim 1 and therefore it is submitted that claim 2 is patentable for at least the reasons cited above and more notably the fact that Gruteser fails to disclose a solar panel as one of one or more energy converter means connected to a power pack. Claims 3-5 depend from claim 1 and therefore it is submitted that claims 3-5 are patentable for at least the reasons cited above and more notably the fact that each of the biorhythm sensor, the digital display, and the moveable portion of the chair are linked to the power pack for the purpose of the transfer of electrical energy.

With respect to claim 6, for at least the reasons described above it is respectfully submitted that Gruteser fails to disclose elements used to generate electricity that convert energy and are linked to a power pack capable of receiving, storing and disseminating electrical energy generated from the one or more energy converters, whereby controls may output information regarding directions to the use of said control without producing movement of the chair, bed or lounge member. Claims 8-12 depend from claim 6 and therefore it is submitted that claims 8-12 are patentable for at least the reasons cited above.

With respect to claim 16, for at least the reasons described above it is respectfully submitted that Gruteser fails to disclose a chair having electrical power requirements, wherein said electrical energy flows from the energy generator to a power pack whereby the electrical energy may be dispersed for powering said electrical power requirements of the chair, or may be stored therein. Claim 19 depends from claim 16 and therefore it is submitted that claim 19 is patentable for at least the reasons cited above.

With respect to claim 21, for at least the reasons described above it is respectfully submitted that Gruteser fails to disclose a power pack.

With respect to claim 22, for at least the reasons described above it is respectfully submitted that Gruteser fails to disclose one or more energy converters, wherein at least one generates energy from a moveable hinge the energy converters being attached to a power pack whereby electrical energy flows from the energy converter to the power pack and is thereby distributed for powering the information output device or is stored therein.

With respect to claim 26, for at least the reasons described above it is respectfully submitted that Gruteser fails to disclose an energy converter and power pack combination for powering the moving parts and the controls for the moving parts.

Applicant also submits new claim 27, and respectfully states that none of the prior art teaches a member selected from the group of members consisting of a chair member, a bed member and a lounge member, said member including moving parts and controls for the moving parts, a power pack, and a energy converter connected to the power pack and the controls for converting energy to which the member is exposed to electrical energy for powering the controls, or for storage of electrical energy to the power pack.

35 USC § 103

Claim 7 was rejected by the Examiner under 35 USC 103b(a) as being unpatentable over Gruteser in view of Sparks. Applicant respectfully notes that the claims have been amended as particularized above to overcome the objections. Moreover, Applicant respectfully disagrees on the basis that neither Gruteser nor Sparks teach audio feedback for the purpose of “providing the directions for the use of” a “control for a moveable part of said chair”.

The present invention provides audio feedback for the purpose of providing directions regarding how to use a control in order to activate or use a moveable part of the chair. As stated on page 3, line 34, controls have sensors that produce “audio directions for use of controls”.

In contrast Sparks teaches output from a speaker triggered by a control unit. In application, as a person slides from a chair and the distance between the person and the monitor increases, an alarm will sound (column 7, line 42-49).

With respect, Sparks does not disclose audio feedback that gives directions for the use of controls located on the chair. Sparks teaches an alarm, which is notice of an event. It is a sound signaling system for people located in the vicinity to become aware of a situation regarding the seat occupant.

Applicant’s invention involves audio feed back to instruct a user regarding the functions of the chair. The audio feedback is not an alarm system and is not triggered to alert a user to an event, such as person falling out of a chair, as is the intention of the Sparks invention.

With respect to claim 7, for at least the reasons described above it is respectfully submitted that Sparks fails to disclose an audio feedback “providing directions for the use of the controls”. Therefore, the Applicant’s invention is not obvious in light of Sparks.

Claim 13 was rejected by the Examiner under 35 USC 103b(a) as being unpatentable over Gruteser in view of Burt. Applicant respectfully states that the claims have been amended as particularized above which overcome the objections on the basis that neither Gruteser nor Burt teach a body repositioning means” including “an electrically generated timer which provides timed interval repositioning”.

The present invention provides a timer whereby a body repositioning means, such as a lumbar adjustment member is repositioned in accordance with timed intervals, and that the timer and repositioning means electronically operated being powered by the "power pack".

In contrast Burt teaches electrical control of heating a lumbar supports and valves with the lumbar support that are "under the control of a suitably programmed microprocessor" (para. 0033). Burt further teaches a pump that connects to a pump motor that is connected to a pump drive that is operated in response to air pressure under the control of a microprocessor (para. 0031).

With respect, Burt does not disclose a timed repositioning of a lumbar support. Rather it teaches refilling of a lumbar support that is "operated in response to air cell pressure" (para. 0031), and heating of a lumbar support controlled by a microprocessor (para. 0029).

Applicant's invention involves the repositioning of lumbar support that occurs at timed intervals as controlled by an electrically generated timer, and both the timer and repositioning means are powered by a power pack.

With respect to claim 13, for at least the reasons described above it is respectfully submitted that Burt fails to disclose a repositioning of a lumbar support at timed intervals. Therefore, the Applicant's invention is not obvious in light of Burt.

Examiner rejected claim 20 as being unpatentable over Gruteser and said that it would have been obvious to one of ordinary skill in the art at the time of the invention to use both solar and movement energy generation mechanisms in a single chair since doing so would merely increase the performance of the chair.

With respect Gruteser does not disclose a power pack means capable of receiving, storing and distributing power to the chair. Applicant respectfully states that the claims have now been amended to overcome the objections as particularized above.

Examiner rejected Claim 23 as being unpatentable over Gruteser in view of Deaton and said that it would have been obvious to one of ordinary skill in the art at the time of the invention to generate power from a hinge located between the back and seat or between a seat and a pedestal

of a chair. Applicant respectfully states that the claims have been amended to overcome the objection on the basis particularized above.

Finally, Examiner rejected claim 24 as being unpatentable over Gruteser in view of Bell. Claim 24 has been cancelled and therefore Applicant is unable to respond to this objection.

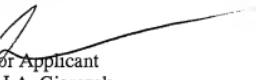
ADDITIONAL FEES

Applicant submits the amount of \$105.00 the required fee for filing independent claims in the excess of 3.

CONCLUSIONS:

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully,


Agent for Applicant
Eugene J.A. Gierczak
(Registration No. 31,690)
MILLER THOMSON LLP
Barristers & Solicitors
Scotia Plaza
40 King Street West, Suite 5800
Toronto, Ontario, Canada M5H 3S1
Telephone No. 416.596.2132
Telecopier No. 416.595.8695

EJAG/kd/cbg

cc: Terry Cassaday